

Mr. SPEAKER.—The issue before the House is very simple and that is whether the laying of the Ordinance on the Table of the House is proper or not. I have already ruled that it is a constitutional obligation on the part of the Government to lay such Ordinances on the Table of the House irrespective of whether such Ordinances are legal, illegal, constitutional or otherwise.

Sri K. H. PATIL.—Our objection is whether it can be considered at all as an ordinance. You may consider that aspect also before giving your ruling.

Mr. SPEAKER.—I have understood the point. Even if the Ordinance is *ab initio* void or defective there is no difficulty because Article 213 (3) does not make any distinction between an ordinance which is void and an ordinance which is valid. It casts an obligation on the Government to lay on the Table of the House all ordinances whether legal or illegal, void, voidable or invalid, or by whatever description you may choose to call them. It is open to Hon. Members to raise their objection when the relevant Bill to replace the Ordinance is introduced in the House. In fact, they will be failing in their duty if they do not raise objection at that time that the Ordinance was *ab initio* void, and such objection would surely be permitted to be raised. I assure the House that at that time full opportunity would be given to hon. Members to raise their objection.

Papers laid on the Table

Mr. SPEAKER.—Papers as per list separately circulated to hon. members may be taken to have been laid on the Table.

LIST OF PAPERS SEPARATELY CIRCULATED

I Sri MOHAMED ALI (Minister for Transport).—to lay :

- (a) (i) Notification No. HD 95 TMT 67 dated 24th March 1969 ;
Reduction of tax payable in respect of stage carriages under the Act ;
- (ii) Notification No. S. O. No. HD 43 TMT 67 dated 5th March 1969 ; Reduction of tax payable in respect of stage carriages under the Act ;
- (iii) Notification No. HD 3 TMT 68 dated 15th March 1969 ;
Reduction of tax payable in respect of stage carriages under the Act ;
- (iv) Notification No. HD 148 TMT 68 dated 5th April 1969 ;

Reduction of Tax payable in respect of stage carriages under the Act;

(v) Notification No. HD 79 TMT 66 dated 9th May 1969;

Reduction of tax payable in respect of stage carriages under the Act;

(vi) Notification No. HD 145 TMT 63 dated 14th March 1969;

Reduction of tax payable in respect of stage carriages under the Act;

(vii) Notification No. HD 69 TMT 66 dated 17/18th/23rd April 1969;

Reduction of tax payable in respect of stage carriages under the Act:

(viii) Notification No. HD 91 TMT 67 dated 1st July 1969;

Reduction of tax payable in respect of stage carriages under the Act;

(ix) Notification No. HD 21 TMT 68 dated 20th March 1969;

Reduction of tax payable in respect of stage carriages under the Act;

(x) Notification No. HD 269 TMA 68 dated 2nd/5th April 1969;

The Mysore Motor Vehicles Taxation (Amendment) rules 1969; issued under section 22 Mysore Motor Vehicles Taxation Act, 1957.

(xi) Notification No. HD 42 TMT 69 dated 30th June 1969; issued under section 16 (1) of Mysore Motor Vehicle Taxation Act 1957.

Exemption of tax payable under the Act;

(xii) Notification No. HD 235 TMA 68 dated 27th June 1969;

The Mysore Motor Vehicles Taxation (3rd Amendment) rules 1968;

(xiii) Notification No. HD 92 TMT 67 dated 5th April 1969;

Reduction of tax payable under the Act in respect of Stage carriages under the Act.

under Sections 16 (2) and 22 (2) of the Mysore Motor Vehicles Taxation Act, 1957.

(b) Notification No. HD 64 TMT 30-31 of October 68 and HD 134 TMT 62 dated 30/31st October 68 dated 30th and 31st October 1968;

Reciprocal arrangement between Government of Mysore and Government of Andhra.

Reciprocal arrangement between Government of Mysore and Government of Kerala.

under Section 3 (2) of Mysore Motor Vehicles (Taxation on Passengers and Goods) Act, 1961;

(SRI MOHAMED ALI)

(c) (i) The Mysore Motor Vehicles (V Amendment) Rules, 1968 ;
Notification No. HD 22 TMR 64 dated 29th November 1968 ;

(ii) The Mysore Motor Vehicles (V Amendment) Rules, 1968 ;
Notification No. HD 49 TMR 68 dated 30th December 1968 and 193
HD 49 TMR 68 dated 21st May 1969 Corrigendum ;

(iii) The Mysore Motor Vehicles (IV Amendment) Rules 1969 ;
Notification No. GSR HD 69 TMR 68 dated 21st March 1969 ;

(iv) The Mysore Motor Vehicles (Amendment) Rules 1969 ;
Notification No. HD 319 TMA 65 dated 22nd February 1969
issued under the Motor Vehicles Act 1939.

II Sri RAMAKRISHNA HEGDE (Minister for Finance, Planning
and Youth Welfare) to lay :

(a) (i) The Mysore Excise (Tapping of Trees) (Amendment)
Rules, 1969 ;

Notification No. HD 61 EFL 68 dated 3rd May 1969 ; issued
under the Mysore Excise Act 1965

(ii) The Mysore Excise (Cutting and Removal of date leaves
and dead wood) (Amendment) Rules, 1969 ;

Notification No. HD 60 EFL 68 dated 3rd/6th May 1969 ; issued
under the Excise Act 1965 ;

(iii) The Mysore Excise Licences (General Condition) (Amend
ment) Rules 1969 ;

Notification No. HD 2 PES 69 dated 6th May 1969 (b) (9) issued
under Mysore Excise Act 1965 ;

(iv) Erratum to (HD) 4 PES 69 dated 2nd May 1969 ; issued ;
under Mysore Excise Act 1968 Erratum ;

Notification No. GSR 169 dated 2nd May 1969 ;

(v) The Mysore Excise (Rectified Spirits) Rules, 1969 ;

Notification No. HD 6 PES 69 dated 16th June 1969 ; issued
under Mysore Excise Act 1965 ;

(vi) The Mysore Excise (Excise duties) Second (Amendment)
Rules, 1969 ;

Notification No. HD 93 EDC 69 dated 24th June 1969 ;

(vii) The Mysore Excise (Sale of Indian and Foreign Liquors)
(Second Amendment Rules) 1969 ;

Notification No. HD 9 PES 69 ; dated 13th June 1969 ;

(viii) The Mysore Excise (Powers and duties of Excise Officers) (Repealing) Rules, 1969 ;

Notification No. HD 7 PES 69 dated 4th June 1969 ;

(ix) The Mysore Excise (Distillery and Warehouse) (Second Amendment) Rules, 1969 ;

Notification No. HD 5 PES 69 dated 25th June 1969 ;

under Section 71 (4) of the Mysore Excise Act, 1955.

(b) The Mysore Prohibition (Mhowra Flowers) (Amendment) Rules, 1969 ;

Notification No. HD 8 PES 69 dated 18th April 1969 ; under-section 125 of the Mysore Prohibition Act 1961.

Notification Nos.

Date

(1) FD 167 CSL 69	...	28th May 1969
(2) FD 122 CSL 69	...	16th May 1969
(3) FD 309 CSL 68	...	16th December 1969
(4) FD 406 CSL 68	...	24th January 1968
(5) FD 235 CSL 66	...	7th May 1968
(6) FD 408 CSL 68	...	22nd January 1969
(7) FD 426 CSL 68	...	27th March 1969
(8) FD 44 CSL 68	...	2nd April 1969
(9) FD 13 CSL 68	...	29th April 1968

(c)—

Exemption of tax payable under the Mysore Sales Tax Act, 1957 Act on the Sale of several articles ;

The Mysore Sales Tax (Amendment) Rules, 1969

Notification No. FD 4 CSL 69 dated 2nd April 1969 under section 39 of the Mysore Sales Tax Act, 1957.

III SRI K. PUTTASWAMY (Minister for Law, Labour and Parliamentary Affairs) to lay :

(a) The Mysore Legislature (Presiding Officers) T. A. (Special) Rules, 1967 ;

Notification No. Law 18 LGR 67 dated 27th January 1969, under Section 15 (2) of the Mysore Legislature Salaries Act, 1956.

IV SRI P. M. NADGOUDA (Minister for Development) lay to :—

(a) The Mysore Agricultural Produce Marketing (Regulation) (Removal of difficulties) Order, 1969 ;

Notification No. DPC 25 CMD 69 dated 22nd March 1969 under section 153 of the Mysore Agricultural Produce Marketing Regulation Act, 1966.

(SRI P. M. NADGOUDA)

(b) Mysore Agricultural Debtors Relief Rules, 1969 ;

Notification No. DPC 128 CBA 65 dated 12th March 1969, under section 63 (3) of the Mysore Agricultural Debtors Relief Act, 1966.

V Sri M. RAJASEKHARA MURTHY (Minister for Industries, Information and Publicity) to lay :—

(a) Annual Report on the working of Mysore Iron and Steel Limited for the year 1967-68;

under section 619 (A) of the Companies Act, 1956.

(b) Fourth Annual Report of the Mysore State Industrial and Development Corporation Ltd., for the year 1967-68;

under section 42 of the Mysore Industrial Area Development Act, 1966.

(c) Eleventh Annual Report of the Mysore State Khadi and Village Industries Board for the year 1967-68 ;

under Section 26 of the Mysore Khadi and Village Industries Act ; 1956.

VI Sri H. V. KOUJALGI (Minister for Revenue) to lay :

(a) (i) Notification No. RD 16 EST 69 dated 11th April 1969. Remission of stamp duties chargeable under the Act ;

(ii) Notification No. RD 47 Est 69 dated 26th May 1969 Remission of stamp duties chargeable under the Act ;

(i) & (ii) under clause (a) of sub-section (1) of section 9 of the Mysore Stamps Act, 1957.

(b) (i) Exemption of survey Nos. 669, 670 and 680/2 Anegoal Village in Belgaum Taluk, Belgaum District from the provisions of the sections 14, 25, 63, 64, 80 and 814 of the Act;

(ii) Lands acquired by H. A. L. , Bangalore, under Section 109 of the Mysore Land Reforms Act, 1961 and Erratum thereunder ;

Notification No. RD 87 LRY 66 dated 15th May 1969

under section 140 of the Mysore Land Reforms Act, 1961 ;

(c) The Mysore Prevention of Fragmentation and Consolidation of Holding Rules 1969, GSR 135 ;

Notification No. RD 24 TCO 67-1 dated 11th April 1969.

under Section 44 of the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966.

(d) The Mysore Treasure Trove (Amendment) Rules, 1969 ;
RD 22 ETC 68 dated 29th April 1969 issued
under section 20(1) of the Mysore Treasure Trove Act, 1962.

(e) The Mysore Land Revenue (Amendment) Rules, 1969 ;
Notification No. RD 134 ELR 68 dated 8th May 1969 ;
under section 197 of the Mysore Land Revenue Act, 1964.

(f) (i) Suspension of Land Revenue for the revenue year 1968-69
in respect of the villages of Shikaripur Taluk, Shimoga District ;

Notification No. A4 DCB PR. 156C. 7330/68-69 dated 16th
May 1969.

(ii) Suspension of Land Revenue for the revenue year 1968-69 in
Dharwar Taluk.

Notification No. REVSR/86/59 dated 21st May 1969.

(iii) Suspension of land revenue for the Revenue year 1968-69
in respect of certain sixteen villages in Dharwar Taluk, Dharwar District.

Notification No. REVSR/8615 dated 10th April 1969,

(iv) Suspension of Land Revenue for the Revenue year 1968-69
in respect of certain villages of Hanagal Taluk, Dharwar District ;

Notification No. RB/LRRSR/1462-66 dated 26th March 1969 .

(v) Suspension of land Revenue for the revenue year 1968-69
in respect of certain villages of Chikodi, Sampgaon Taluk, Belgaum
District ;

(vi) Notification No. DCB 102/68-69 dated 13th March 1969,
Suspension of land revenue for the Revenue year 1968-69 in certain
villages of Kunigal Taluk, Tumkur District ;

(vii) Notification No. RDN 28 PRM 69 dated 3rd/7th July 69
Remission of Land Revenue for the revenue year 1967-68 in respect of
certain villages of Kumta Taluk, North Kanara District.

(viii) Notification No. RDN 41 PRM 68 dated 26/28th January 69,
Remission of land revenue for the Revenue year 1967-68 in respect of
certain villages of Hirekerur Taluk, Dharwar District ;

under Section 194(2) of the Mysore Land Revenue Act, 1964.

VII Sri B. M. PATIL. (Minister of State for Municipal Administra-
tion) to lay ;

(a) The Mysore Cattle Licensing Rules, 1969 ;

Notification No. HM 49 MNY 69 dated 9th April, 1969
under section 11 of the Mysore Cattle Licensing Act, 1964.

(b) The Annual Accounts and Audit Report of the Bangalore
Water Supply and Sewerage Board, Bangalore for the year 1965-66;
under Sub-Section 5(a) of the Bangalore Water Supply Sewerage
Act, 1946.

Ordinances laid on the Table of the House

Sri RAMAKRISHNA HEGDE (Minister for Finance, Planning and Youth Welfare).—I lay on the Table :

The Mysore Sales Tax (Amendment) Ordinance, 1969, as required under clause (2)(a) of article 213 of the Constitution of India (Mysore Ordinance No. 3 of 1969).

Sri K. V. SHANKARA GOWDA (Minister for Education).—I lay on the table :

(i) The Mysore Compulsory Primary Education (Amendment and Miscellaneous Provisions) Ordinance, 1969 as required under clause (2) (a) of article 213 of the Constitution of India (Mysore Ordinance No. 1 of 1969);

(ii) The Mysore Education Cess (Validation of Levy) Ordinance, 1969, as required under clause (2) (a) of article 213 of the Constitution of India (Mysore Ordinance No. 4 of 1969).

Sri P. M. NADGOUDA (Minister for Development).—I lay on the Table :

The Mysore Agricultural Produce Marketing (Regulation) (Amendment) Ordinance, 1969, as required under clause (2) (a) of article 213 of the Constitution of India (Mysore Ordinance No. 2 of 1969).

Sri H. N. NANJE GOWDA.—Sir, I will be failing in my duty if I do not object to the laying of this Ordinance on the Table of the House.

Mr. SPEAKER.—I have already given my ruling on this.

Sri H. N. NANJE GOWDA.—There is no hurry to pass the Bill to replace the Ordinance. Government have got four weeks time. In the meantime let them consult the Advocate General on the objection raised by me and get the assent of the President before laying the Ordinance on the Table of the House.

Mr. SPEAKER.—You can come to the decision that the Ordinance is void and invalid at the time when the Bill to replace the Ordinance comes up for consideration and not at the time of laying the copy of the Ordinance on the Table of the House.

Sri VEERENDRA PATIL (Chief Minister).—I introduce.....

Sri K. H. PATIL.—Sir, I rise to a Point of Order. We could not hear what Sri P. M. Nadgouda, Minister for Development said, and now the Hon. Chief Minister is reading.

Sri H. SIDDAVEERAPPA.—Sir, did you hear what Sri P. M. Nadgouda said? If you have heard it, it is all right.

Mr. SPEAKER.—It is only a formality.